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Twenty-fifth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 439th MEETING

Held at the Palais Wilson, Geneva,
on Monday, 13 November 2000, at 10 a.m.

Chairman: Mr. BURNS

CONTENTS

STATEMENT BY THE REPRESENTATIVE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

ADOPTION OF THE AGENDA

ORGANIZATIONAL AND OTHER MATTERS

SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 19 OF THE CONVENTION

* The summary record of the second part (closed) of the meeting appears as document CAT/C/SR.439/Add.1.

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GE.00-45756 (E)

The meeting was called to order at 10.05 a.m.

STATEMENT BY THE REPRESENTATIVE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

1. Mr. GAHAM (Representative of the High Commissioner for Human Rights) welcomed the members of the Committee against Torture on behalf of the High Commissioner for Human Rights, who had not been able to attend owing to her current mission in Palestine.

2. He was glad to announce that in September, Comoros, Guinea-Bissau and Sao Tomé and Principe had signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In addition, Botswana, Gabon, Ghana and Lebanon had ratified or acceded to the Convention, while Ghana had also made the declaration under article 22 recognizing the Committee's competence to receive individual communications. It was worth noting that out of the seven countries mentioned, six were from the African region.

3. Universal ratification was one of the main objectives of the Office of the High Commissioner for Human Rights. As that implied a heavier workload for both the Committee and the Secretariat, the High Commissioner had called for a strengthening of the treaty monitoring system. One of the first steps to that end was the establishment of a Petitions Unit to examine individual complaints received by the Committee against Torture, the Human Rights Committee and the Committee on the Elimination of Racial Discrimination. The Petitions Unit was to be operational as from the beginning of December; its staff had already been recruited, and the person who would head the Unit would be appointed as soon as Ms. Robinson returned. The aim was to enhance the flow of information between the various treaty bodies with regard to jurisprudence and to provide the Committees with a more proactive and legally specialized support than had previously been possible, while working in close cooperation with the Committee on the Elimination of Discrimination against Women.

4. The High Commissioner for Human Rights hoped that additional steps could be taken in the near future to continue to respond to the needs of the treaty-monitoring bodies, including with respect to follow-up procedures. She also attached great importance to the interlinkage and indivisibility of rights and welcomed the tendency towards increased sharing of expertise and cooperation between the treaty-monitoring bodies. One example of that was the discussion on State violence against children that had taken place in September in the Committee on the Rights of the Child, which had shown the overriding importance of coordinating the activities of institutions, existing mechanisms and partners.

5. The High Commissioner was following with interest the preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. She was aware of existing time constraints, but looked forward to hearing the Committee's views on how it could contribute to the success of that event.

ADOPTION OF THE AGENDA (item 1 of the provisional agenda) (CAT/C/57)

6. The provisional agenda (CAT/C/57) was adopted.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 2)

7. The CHAIRMAN said that Mr. Silva Henriques Gaspar had attended a meeting relating to the rights of the child, and he asked him to report on it at a future time.

8. He asked Mr. Yakovlev to prepare a draft statement on the World Conference against Racism for the Committee for consideration and perhaps adoption later in the session.

9. The recommendation and explanation contained in the communication from the Permanent Representative of Australia, dated 11 September 2000, in which Australia proposed ways of reforming the methods of the human rights reporting bodies, should be included in the programme of work. The Committee's views on that statement should be consistent; they should be made known to the Office of the High Commissioner, and the Committee should even be prepared to adopt some of those proposals.

10. He would report on the twelfth meeting of chairpersons and refer to the Committee a number of matters requiring its attention.

11. There had been a request on the question of HIV/AIDS rights, which he thought should also be placed on the Committee's programme of work.

12. He asked Mr. Camara to report on preparing a general comment on interim measures under article 22, and the Committee would also continue its discussion on the creation of a pre-sessional working group.

13. Mr. BRUNI (Secretary of the Committee) suggested that it would be wise to hold the Committee's press conference in the Palais des Nations, where it would attract more attention.

SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 19 OF THE CONVENTION (agenda item 3)

14. Mr. BRUNI (Secretary of the Committee) said that, of the 118 initial reports that had been expected between June 1988 and October 2000, 77 had been submitted and 38 were overdue. Of the 90 second periodic reports expected between June 1992 and October 2000, 52 had been submitted, and 38 were overdue. Of the 60 third periodic reports requested for the period between June 1996 and October 2000, 29 had been submitted, and 31 were overdue. Of the 26 fourth periodic reports requested in 2000, four had been submitted.

15. Reports to be considered by the Committee at one of the two sessions in 2001 had been submitted by Bolivia, Brazil, Costa Rica, the Czech Republic, Denmark, Georgia, Greece, Kazakhstan, Luxembourg, Norway, Slovakia, Sweden, Ukraine and Venezuela.

16. In October 1999, China had sent additional information replying to a number of questions asked by the Committee about Hong Kong during consideration of its third periodic report in May 1999. That information had been forwarded to the country rapporteur and alternate country rapporteur for China.

17. Mr. MAVROMMATIS said that since past measures taken with regard to overdue submission of reports had not produced any results, the Committee needed to give the matter closer consideration.

18. The CHAIRMAN said that Ms. Gaer would report to the Committee on new developments relating to gender and torture.

The public part of the meeting rose at 10.40 a.m.